### **PATENT**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  $\,$  EVGENY EVGENYEVICH FESENKO, ET AL.

Serial No.: 10/534,238

Group No.: 1656

Filed: DECEMBER 2, 2008

Examiner: MONSHIPOURI, M.

For: POLYPEPTIDE AND METHOD OF CURE

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

# RESPONSE TO COMMUNICATION OF DECEMBER 3, 2008

The sequences included in the sequence listing filed on December 2, 2005 correspond to the originally filed sequences, e.g. the sequences in the PCT application RU03/00473.

The reason for the differences between the sequence listed filed on December 2, 2005 and the sequences in the PCT application are due to the use of PATENT IN software that generates a separate sequence for the amino acids when the prior sequence includes a DNA sequence and the

### CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

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amino acids coded for by the sequence. This is why SEQ ID NO: 2 and SEQ ID NO: 4 included in the listing filed on December 2, 2005 include only amino acids. Original SEQ ID NO: 2 is now

SEQ ID NO: 3 and original

SEQ ID NOs: 3-6 are now SEQ ID NOs: 5 to 8 respectively.

The correlation is:

From PCT Application

Sequence listing filed December 2, 2005

Sequence 1 (DNA and amino acids)	Sequence 1 (DNA and amino acids)
	Sequence 2 (amino acids from Sequence 1)
Sequence 2 (DNA and amino acids)	Sequence 3 (DNA and amino acids)
	Sequence 4 (amino acids from Sequence 3 and original Sequence 2)
Sequence 3	Sequence 5
Sequence 4	Sequence 6
Sequence 5	Sequence 7
Sequence 6	Sequence 8

If any questions remain, please contact the undersigned.

Respectfully submitted,

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